



Docket No.: U2054.0101/PTO1
(PATENT)

D.J.
#7 8-12-02
IDS w/ Refers

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masaki Ichihara

Application No.: 09/271,103

Group Art Unit: 2685

Filed: March 18, 1999

Examiner: L. G. Kincaid

For: METHOD AND APPARATUS FOR
ADJUSTING TRANSMISSION POWER
OF A CDMA TERMINAL

RECEIVED

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Technology Center 2600

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Timing of Filing of the Information Disclosure Statement:

- ☐ This IDS is being filed before the First Office Action¹.
- ☒ This IDS is being filed after the issuance of the First Office Action but before the issuance of a Final Office Action².

¹ The IDS should, where possible, include a certification under 37 C.F.R. §1.97(e).

- ☐ This IDS is being filed after the issuance of a Final Office Action but before the payment of the Final Fee³.

Certifications:

If checked, the undersigned makes the following statement(s):

- ☐ Statement under 37 CFR § 1.97(e):

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; or

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

- ☐ Statement Under 37 C.F.R. § 1.704(d):

Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

² The IDS *must* include *either* a certification under 37 C.F.R. §1.97(e) *or* the fee set forth in 37 C.F.R. §1.17(p).

³ The IDS *must* include *both* a certification under 37 C.F.R. §1.97(e) *and* the fee set forth in 37 C.F.R. §1.17(p).

Fee Required by 37 C.F.R. § 1.97(c)(2) or 1.97(d)(2):

☒ If checked, the fee of \$180.00 set forth in 37 C.F.R. §1.17(p) is attached.

Copies of Information:

In accordance with 37 C.F.R. §1.98(a), the following are enclosed:

☒ A legible copy⁴ of each document (or relevant portion thereof) is cited in the attached PTO/SB/08.

☐ With respect to any information which is not in English, a concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, is attached. This concise explanation is provided by way of:

☐ A translation of the relevant portions of the non-English language information⁵;

☐ A statement explaining the relevant portions of the non-English language information;

☐ A copy [and, where not in the English language, a translation] of at least the relevant portion(s)⁶ of the communication from a foreign patent office in a counterpart foreign application in which the information was cited; or

⁴ A legible copy of the document is not required if (1) the information was previously cited by, or submitted to, the Office and considered by the Office in a prior U.S. application to which this application claims priority, provided that the prior application is properly identified in this IDS, and (2) the IDS submitted in the earlier application complies with 37 C.F.R. § 1.98(a) – (c). This exception does not apply to information cited in an International Application.

⁵ 37 C.F.R. §1.98(a)(3)(ii) *requires* that an English language translation be provided when a translation of the document, or portion thereof, “is within the possession, custody or control of, or is readily available to any individual designated in 37 C.F.R. § 1.56(c).”

⁶ The relevant portion is that portion which indicates the degree of relevance found by the foreign patent office. This may be an explanation of which portion of the of the reference is particularly relevant, to which claims it applies, or merely an “X”, “Y”, or “A” indication on a search report. MPEP §609 III A(3).

☐ This information is contained in the specification of the present application.

Materiality:

Whether or not the information and references disclosed in this Information Disclosure Statement is "material" pursuant to 37 CFR 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

In the event the actual fee is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Dated: August 8, 2002

Respectfully submitted,

By 

Ian R. Blum

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Attorneys for Applicant



2685 \$

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002 <small>Patent fees are subject to annual revision.</small>		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/271,103
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	March 18, 1999
180.00		First Named Inventor	Masaki Ichihara
		Examiner Name	L. G. Kincaid
		Group Art Unit	2685
		Attorney Docket No.	U2054.0101/P101

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit Card	3. ADDITIONAL FEES	
<input type="checkbox"/> Money Order	<input type="checkbox"/> Other		
<input type="checkbox"/> None			
Deposit Account Number: 50-2215			
Deposit Account Name: Dickstein Shapiro Morin & Oshinsky LLP			
The Commissioner is hereby authorized to: (check all that apply)			
<input type="checkbox"/> Charge fee(s) indicated below			
<input checked="" type="checkbox"/> Credit any overpayments			
<input type="checkbox"/> Charge any additional fee(s) during the pendency of this application			
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee			
to the above-identified deposit account.			

FEE CALCULATION	
1. BASIC FILING FEE	
Large Entity	Small Entity
Fee Code	Fee Code
Fee (\$)	Fee (\$)
Fee Description	Fee Paid
101 740 201 370 Utility filing fee	
106 330 206 165 Design filing fee	
107 510 207 255 Plant filing fee	
108 740 208 370 Reissue filing fee	
114 160 214 80 Provisional filing fee	
SUBTOTAL (1) (\$) 0.00	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	
Total Claims	-20** =
Independent Claims	-3** =
Multiple Dependent	
Large Entity	Small Entity
Fee Code	Fee Code
Fee (\$)	Fee (\$)
Fee Description	Fee Paid
103 18 203 9 Claims in excess of 20	
102 84 202 42 Independent claims in excess of 3	
104 280 204 140 Multiple dependent claim, if not paid	
109 84 209 42 ** Reissue independent claims over original patent	
110 18 210 9 ** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$) 0.00	

3. ADDITIONAL FEES	
Large Entity	Small Entity
Fee Code	Fee Code
Fee (\$)	Fee (\$)
Fee Description	Fee Paid
105 130 205 65 Surcharge - late filing fee or oath	
127 50 227 25 Surcharge - late provisional filing fee or cover sheet	
139 130 139 130 Non-English specification	
147 2,520 147 2,520 For filing a request for ex parte reexamination	
112 920* 112 920* Requesting publication of SIR prior to Examiner action	
113 1,840* 113 1,840* Requesting publication of SIR after Examiner action	
115 110 215 55 Extension for reply within first month	
116 400 216 200 Extension for reply within second month	
117 920 217 460 Extension for reply within third month	
118 1,440 218 720 Extension for reply within fourth month	
128 1,960 228 980 Extension for reply within fifth month	
119 320 219 160 Notice of Appeal	
120 320 220 160 Filing a brief in support of an appeal	
121 280 221 140 Request for oral hearing	
138 1,510 138 1,510 Petition to institute a public use proceeding	
140 110 240 55 Petition to revive - unavoidable	
141 1,280 241 640 Petition to revive - unintentional	
142 1,280 242 640 Utility issue fee (or reissue)	
143 460 243 230 Design issue fee	
144 620 244 310 Plant issue fee	
122 130 122 130 Petitions to the Commissioner	
123 50 123 50 Processing fee under 37 CFR 1.17(q)	
126 180 126 180 Submission of Information Disclosure Stmt	180.00
581 40 581 40 Recording each patent assignment per property (times number of properties)	
146 740 246 370 Filing a submission after final rejection (37 CFR 1.129(a))	
149 740 249 370 For each additional invention to be examined (37CFR 1.129(b))	
179 740 279 370 Request for Continued Examination (RCE)	
169 900 169 900 Request for expedited examination of a design application	
Other fee (specify)	
*Reduced by Basic Filing Fee Paid	
SUBTOTAL (3) (\$) 180.00	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Ian R. Blum	Registration No. (Attorney/Agent)	42,336
Signature		Telephone	(212) 835-1400
		Date	August 8, 2002